

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2004:

Present

Vote

Thomas G. Shepperd, Jr., Chairman
James S. Burgett, Vice Chairman
Walter C. Zaremba
Sheila S. Noll
Kenneth L. Bowman

On motion of ____, which carried __, the following ordinance was adopted:

AN ORDINANCE TO ADD SECTION 21-7.8 TO CHAPTER 21, TAXATION, OF THE YORK COUNTY CODE, TO PROVIDE FOR THE PARTIAL EXEMPTION FOR CERTAIN REHABILITATED OR RENOVATED COMMERCIAL OR INDUSTRIAL STRUCTURES

BE IT ORDAINED by the York County Board of Supervisors, this ____ day of ____, 2004, that section 21-7.8, York County Code, be and it is hereby added to read and provide as follows:

Sec. 21-7.8 Partial exemption for certain rehabilitated or renovated commercial or industrial structures.

- (a) Real estate located within the district described below and on which any structure or other improvement no less than twenty years of age has undergone substantial rehabilitation, or renovation (hereinafter, "rehabilitation") for commercial or industrial use, shall be entitled to a partial exemption from the tax on real property, subject to the following terms and conditions. The complete demolition of a structure and its replacement by a new structure shall not constitute "rehabilitation" and shall not qualify for the partial exemption.
- (b) Real estate shall be deemed to have been "substantially" rehabilitated when it has been so improved as to increase the assessed value of the structure by no less than 25 percent (25%) of its assed value prior to the rehabilitation.

- (c) The partial exemption shall equal the amount of the difference in the value of the commercial or industrial structure immediately before rehabilitation and immediately after rehabilitation as determined by the county tax assessor, not to exceed however \$500,000 in increased value as so determined. The exemption shall commence upon completion of the rehabilitation, and shall run with the real estate for a period of ~~ten~~-five years, or until such time as the structure may be demolished, if sooner.
- (d) Nothing in this section shall be construed as to permit the commissioner of the revenue to list upon the land book any reduced value due to the exemption provided herein.
- (e) To be qualified for this partial exemption, the subject real estate must:

 - (1) be located at least partly within an area the boundaries of which shall be defined as lines located 1,000 feet from the centerline of the right-of-way of Rte. 17 (George Washington Memorial Highway) in the County, and the structure which has been rehabilitated must likewise be located within the boundaries of such area, and
 - (2) be improved without increasing the total square footage of the structure by more than one hundred percent (100%).
- (f) The owner of any real estate meeting the criteria set forth in this section must apply to the county tax assessor for the partial exemption, on forms provided by the assessor, prior to the beginning of the rehabilitation. A fee of \$20.00 shall be paid by the owner to the assessor for processing such application. Following submission of the application, the assessor shall cause the fair market value of the structure to be determined as of the date of the application, utilizing customary methods for determining the value of real estate. Such value shall be used to determine whether the rehabilitation results in a substantial renovation as described in subsection (b), above.
- (g) An application (or renewed application) for a partial exemption shall expire 18 months after approval of the application unless all contemplated improvements shall have been completed. Thereafter, the owner may renew his application upon payment of such application fee as may then be applicable. Upon an application for renewal, the assessor shall determine the value, as of the date of the renewal application, of the structure as unrehabilitated, and the application shall be conditioned upon an increase in the assessed value of the structure over the value as of the date of the application for the renewal.
- (h) In order for the partial exemption for a structure to remain in effect, the structure shall be maintained in compliance with the Uniform Statewide Building Code, including so much of the building maintenance provisions as the County may elect to enact. If, after receiving notice of a violation

of this section, the owner of the property fails or refuses to complete the necessary corrections within the time required for such action, or refuses access to the property by inspectors for the purpose of determining continued eligibility under this section, then such eligibility shall terminate.